

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 28

June 10, 2009

SUBJECT: ANIMAL CRUELTY TASK FORCE DUTIES AND MANUAL SECTION REVISIONS RELATING TO ANIMAL CRUELTY INVESTIGATION

PURPOSE: The Animal Cruelty Task Force (ACTF) was established in July 2005. The ACTF is comprised of personnel from the Los Angeles Police Department, Department of Animal Services (DAS), Office of the City Attorney and the Office of the Los Angeles County District Attorney. This Order establishes the functions of the ACTF, Department personnel responsibilities and revises Department Manual Sections 2/312.05, 2/312.10, 2/445.60, 2/555.30, 4/204.65, and 5/030.66.

PROCEDURE:

I. ANIMAL CRUELTY - DEFINED. Any malicious and intentional maiming, mutilating, torturing, or wounding of a living animal or malicious and intentional killing of an animal.

II. ANIMAL CRUELTY TASK FORCE RESPONSIBILITIES. The ACTF investigates animal cruelty, neglect, hoarding, mutilation or sacrifice, bestiality, cockfighting and dog fighting. The ACTF may assist or handle an investigation, or arrest, when requested by first responders who are conducting an animal cruelty investigation.

III. SWORN PERSONNEL RESPONSIBILITIES. Sworn personnel shall have the following responsibilities:

- * Notify the ACTF, during business hours, or Real Time Analysis and Critical Response Division to contact an ACTF detective for advice, during off-hours, if any animal cruelty is observed, suspected, or confirmed. The ACTF detective will provide booking advice only; booking approval remains the same;
- * Refer to the Animal Cruelty Investigation Reference Guide Field Notebook Divider, Form 18.48.00, for assistance in conducting a thorough animal cruelty investigation;
- * Document the animal cruelty investigation on an

Investigative Report (IR), Form 03.01.00, titled "Animal Cruelty", "Animal Sacrifice", "Animal Neglect", "Bestiality", "Dog Fighting" or "Cockfighting". "ACTF" shall be entered in the investigative division box of the IR; and,

- * Notify DAS through Communications Division to impound live/dead animals taken into protective custody or evidence, and/or for a necropsy, during an animal cruelty investigation. Include the DAS animal impound number on the IR.

Note: The Bureau of Sanitation, Refuse Collection, can be contacted through Communications Division for dead animal pick up if the ACTF detective advises there is no crime.

IV. AREA RECORDS UNIT'S RESPONSIBILITY. When receiving a Crime Report or a Combined Crime and Arrest Report titled "Cruelty to Animals" or "Animal Sacrifice", Area Records Unit personnel shall forward a copy to:

Animal Cruelty Task Force
Parker Center, Room 717
Mail Stop No. 400

AMENDMENTS: This Order amends Department Manual Sections 2/312.05, 2/312.10, 2/445.60, 2/555.30, 4/204.65, and 5/030.66.

AUDIT RESPONSIBILITY: The Commanding Officer, Internal Audits and Inspections Division, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.



WILLIAM J. BRATTON
Chief of Police

Attachment

DISTRIBUTION "A"

ANIMAL CRUELTY INVESTIGATION REFERENCE GUIDE

If any form of animal cruelty is observed, suspected, or confirmed, immediately contact the Los Angeles City Animal Cruelty Task Force (ACTF) prior to implementing an investigation. The ACTF can be reached at (213) 847-1417 during business hours or RACR at (213) 978-6500 during off-hours. The ACTF will provide advice and respond if necessary.

ARRIVAL AT SCENE

- _____ Determine if the suspect is still at the location.
- _____ Determine if any weapon is involved.
- _____ Determine what crime has occurred, if any.
- _____ Separate suspect(s) and witness(es).
- _____ Interview suspect(s) and witness(es), including children, separately.
- _____ In the event of an injured animal, request response from the Department of Animal Services (DAS).
- _____ Document and photograph the animal's condition such as:
 - _____ Obvious injuries
 - _____ Wounds/Blood
 - _____ Blunt Trauma

INDICATORS OF COMMON ANIMAL RELATED CRIMES

ANIMAL NEGLECT INDICATORS

- _____ No food or water.
- _____ Emaciated appearance, i.e., ribs clearly showing, weak appearance, etc.
- _____ Obvious adverse conditions without any evidence of treatment resulting in prolonged suffering, i.e., swollen glands, extremely matted hair, open wounds, broken limbs, etc.

ANIMAL HOARDING INDICATORS

- _____ Excessive number of animals.
- _____ Foul odors in and around residence.
- _____ Excessive debris, rubbish, and other junk both inside and outside the residence.
- _____ Windows covered by aluminum foil or other materials.
- _____ Resident displayed unusual behavior which may indicate a possibility of mental illness. Contact Mental Evaluation Unit for advice.

ANIMAL ABUSE INDICATORS

- _____ Visible injuries.
- _____ Other forms of abuse in the same home.
- _____ Abusive domestic relationships.
- _____ Sexual abuse.

ANIMAL BLOODSPORT INDICATORS-COCKFIGHTING

- _____ Numerous roosters constantly crowing.
- _____ High number of rooster to hen ratio.
- _____ Roosters housed separately.
- _____ Numerous noise complaints.
- _____ Cockfighting paraphernalia, i.e., fighting blades, boxing muffs, blue cote, "A" frames, etc.
- _____ Roosters without wattles (skin under chin) and combs (skin above head).
- _____ Animal freight boxes or transport cages.

ANIMAL BLOODSPORT INDICATORS-DOGFIGHTING

- _____ Numerous pit bulls at one location.
- _____ Dogs in living spaces close to one another but not able to have physical contact.
- _____ Dogs with scars around the body and face.
- _____ Dogs that are uncharacteristically human friendly but animal aggressive.

- _____ Dogs wearing extremely heavy chains attached to stakes pounded into the ground.
- _____ Treadmills with slats on the sides designed for dog endurance training.
- _____ Dogfighting trophies, schedules, and magazines.
- _____ Springpoles (tetherball sized pole and appearance with object or material attached for strength training).

DOG TRAPPED IN VEHICLE

- _____ Evaluate existing conditions such as extreme heat or cold.
- _____ Determine the behavior or appearance of the animal, i.e., struggling, non-responsive, panting, and scratching at window, etc.
- _____ Locate the owner.
- _____ Contact DAS.
- _____ Contact the ACTF.
- _____ If exigent circumstances exist, force entry into the vehicle and remove the animal.
- _____ If safe, attempt to cool or warm the animal and request DAS for injured animal response.
- _____ If the suspect returns, detain him/her for 597 Penal Code violation and contact the ACTF.

EVIDENCE

- _____ Document in detail the condition of the crime scene, i.e., disarray of physical surroundings, unsanitary conditions, etc.
- _____ Photograph the crime scene.
- _____ Recover and book weapons involved in the crime, i.e., firearm, pellet gun, baseball bat, etc.
- _____ Photograph the animal's injuries.
- _____ Note if there is any evidence of alcohol and/or drug use.
- _____ If a live animal is placed under protective custody or dead animal is impounded by DAS, include DAS animal impound number in the Investigative Report (IR).

VETERINARIAN TREATMENT

- _____ If possible, obtain a copy of the medical treatment report and attach it to the IR.

COMPLETING THE IR

- _____ Ensure that the elements of all involved crimes are included in the IR.
- _____ Send a copy of the IR to the ACTF.
- _____ Note whether children were present.
- _____ If animal is deceased, contact DAS for animal impound. **(Note: Do not contact Bureau of Sanitation for dead animal pick up.)**

INTERVIEW SUSPECT (When advised by the ACTF Detective)

- _____ Obtain the suspect's CII and JDS rap sheets.
- _____ Check out-of-state and FBI record.
- _____ Document suspect's description of animal's alleged action, i.e., barking, soiling carpet, biting, etc.
- _____ If applicable, photograph offensive injuries sustained by the suspect on his/her arms, hands, knuckles, etc.
- _____ Photograph defensive injuries sustained by the animal in self-defense, i.e., cuts, etc.

ANIMAL CRUELTY INVESTIGATION REFERENCE GUIDE

California Penal Code Sections Relating To Animal Cruelty

ANIMAL CRUELTY

597. (a) Every person who maliciously and intentionally maims, mutilates, tortures, or wounds a living animal, or maliciously and intentionally kills an animal, is guilty of an offense punishable by imprisonment in the state prison, or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment, or, alternatively, by imprisonment in a county jail for not more than one year, or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment.

ANIMAL NEGLECT

597. (b) Every person who overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, drink, or shelter, cruelly beats, mutilates, or cruelly kills any animal, or causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, drink, shelter, or to be cruelly beaten, mutilated, or cruelly killed; and whoever, having the charge or custody of any animal, either as owner or otherwise, subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the animal, or in any manner abuses any animal, or fails to provide the animal with proper food, drink, or shelter or protection from the weather, or who drives, rides, or otherwise uses the animal when unfit for labor, is, for every such offense, guilty of a crime punishable as a misdemeanor or as a felony or alternatively punishable as a misdemeanor or a felony and by a fine of not more than twenty thousand dollars (\$20,000).

DOGFIGHTING

597.5. (a) Any person who does any of the following is guilty of a felony and is punishable by imprisonment in a state prison for 16 months, or two or three years, or by a fine not to exceed fifty thousand dollars (\$50,000), or by both such fine and imprisonment: (1) Owns, possesses, keeps, or trains any dog, with the intent that the dog shall be engaged in an exhibition of fighting with another dog. (2) For amusement or gain, causes any dog to fight with another dog, or causes any dogs to injure each other. (3) Permits any act in violation of paragraph (1) or (2) to be done on any premises under his or her charge or control, or aids or abets that act.

(b) Any person who is knowingly present, as a spectator, at any place, building, or tenement where preparations are being made for an exhibition of the fighting of dogs, with the intent to be present at those preparations, or is knowingly present at that exhibition or at any other fighting or injuring as described in paragraph (2) of subdivision (a), with the intent to be present at that exhibition, fighting, or injuring, is guilty of a misdemeanor.

DOG LEFT IN VEHICLE

597.7. (a) No person shall leave or confine an animal in any unattended motor vehicle under conditions that endanger the health or well-being of an animal due to heat, cold, lack of adequate ventilation, or lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal. (b) Unless the animal suffers great bodily injury, a first conviction for violation of this section is punishable by a fine not exceeding one hundred dollars (\$100) per animal. If the animal suffers great bodily injury, a violation of this section is punishable by a fine not exceeding five hundred dollars (\$500), imprisonment in a county jail not exceeding six months, or by both a fine and imprisonment. Any subsequent violation of this section, regardless of injury to the animal, is also punishable by a fine not exceeding five hundred dollars (\$500), imprisonment in a county jail not exceeding six months, or by both a fine and imprisonment.

(c)(3) A peace officer, humane officer, or animal control officer is authorized to take all steps that are reasonably necessary for the removal of an animal from a motor vehicle, including, but not limited to, breaking

into the motor vehicle, after a reasonable effort to locate the owner or other person responsible.

COCKFIGHTING

597b.(b) Any person who, for amusement or gain, causes any cock to fight with another cock or with a different kind of animal or creature or with any human being; or who, for amusement or gain, worries or injures any cock, or causes any cock to worry or injure another animal; and any person who permits the same to be done on any premises under his or her charge or control, and any person who aids or abets the fighting or worrying of any cock is guilty of a misdemeanor punishable by imprisonment in a county jail for a period not to exceed one year, or by a fine not to exceed five thousand dollars (\$5,000), or by both that imprisonment and fine. (c) A second or subsequent conviction of this section is a misdemeanor or a felony punishable by imprisonment in a county jail for a period not to exceed one year or the state prison for 16 months, two, or three years, by a fine not to exceed twenty-five thousand dollars (\$25,000), or by both that imprisonment and fine. (d) For the purposes of this section, aiding and abetting a violation of this section shall consist of something more than merely being present or a spectator at a place where a violation is occurring.

597c. Any person who is knowingly present as a spectator at any place, building, or tenement for an exhibition of animal fighting, or who is knowingly present at that exhibition or is knowingly present where preparations are being made for the acts described in subdivision (b) of Section 597b, is guilty of a misdemeanor.

WARRANTLESS ENTRY FOR ANIMAL BLOODSPORT

597d. Any sheriff, police, or peace officer, or officer qualified as provided in Section 14502 of the Corporations Code, may enter any place, building, or tenement, where there is an exhibition of the fighting of birds or animals, or where preparations are being made for such an exhibition, and, without a warrant, arrest all persons present.

ANIMAL BLOODSPORT TRAINING

597h. It shall be unlawful for any person to tie or attach or fasten any live animal to any machine or device propelled by any power for the purpose of causing such animal to be pursued by a dog or dogs. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

COCKFIGHTING BLADES

597i. (a) It shall be unlawful for anyone to manufacture, buy, sell, barter, exchange, or have in his or her possession any of the implements commonly known as gaffs or slashers, or any other sharp implement designed to be attached in place of the natural spur of a gamecock or other fighting bird. (b) Any person who violates any of the provisions of this section is guilty of a misdemeanor punishable by imprisonment in a county jail for a period not to exceed one year, by a fine not to exceed five thousand dollars (\$5,000), or by both that imprisonment and fine and upon conviction thereof shall, in addition to any judgment or sentence imposed by the court, forfeit possession or ownership of those implements.

HOUSING ANIMALS FOR BLOODSPORT

597j. (a) Any person who owns, possesses, keeps, or trains any bird or other animal with the intent that it be used or engaged by himself or herself, by his or her vendee, or by any other person in an exhibition of fighting as described in Section 597b is guilty of a misdemeanor punishable by imprisonment in a county jail for a period not to exceed one year, by a fine not to exceed five thousand dollars (\$5,000), or by both that imprisonment and fine.